

Legal Aid *matters*

our mission

The Legal Aid Society of Northeastern New York provides effective, free civil legal services and education to and advocacy for people with low income or other barriers to accessing the legal system. We secure basic needs, protect and preserve legal rights, provide equal access to justice and seek fairness and dignity for our clients.

Serving the low-income and needy residents of Albany, Clinton, Columbia, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saratoga, St. Lawrence, Schoharie, Warren and Washington Counties, and the St. Regis Reservation.

executive director

Lillian M. Moy

inside:

Justice For All Kick-Off
 Can you find your photo? . . . 4-5

Saving Taxpayer Money
 Art Demar's story 3

Dick Bartlett
 Guardian of Justice. 8

LASNNY expands veterans' services



Although veterans of war volunteer to give their lives and health for our country, there is an unfortunate history of ignoring their needs when they come home. Over the last year, the Legal Aid Society of Northeastern New York expanded services to veterans by joining forces with others to launch a weekly legal clinic and Wills for Heroes—LASNNY also once again staffed the local Veterans Stand Down.

The need

About seven percent of the U.S. population are veterans, 22.6 million as of 2010.¹ The poverty rate for veterans increased from five percent in 2000 to 6.3 percent for men and 9.6 percent for women in 2009.² About 131,000 veterans—97% male—are homeless, (33 percent of all homeless).³

These men and women face a broad range of legal concerns including some that are the same as other citizens involving family, housing, consumer, probate, wills and bankruptcy law. They also need to be connected to the military and disability benefits available to them through complex government programs.

With the build-up of the Iraq and Afghanistan wars, 2.2 million service members were deployed with 42 percent serving twice or more.⁴ According

to Iraq and Afghanistan Veterans of America, a non-profit organization with 200,000 members, these veterans are becoming homeless faster than veterans of other conflicts did.

Veterans Stand Down

On Saturday, October 1, Legal Aid attorneys participated in the 2011 Capital Region Homeless Veterans Stand-Down attended by several hundred veterans. Stand-Downs are collaborative events coordinated by the U.S. Department of Veterans Affairs to provide homeless veterans with services, such as food, clothing, health screenings and referrals.



Veteran Jonathan Parsons talks with LAS staff Carlotta Palmer and Elizabeth Woods at the Veterans Stand Down.

Besides Legal Aid, the legal services table was staffed by representatives of The Legal Project, the Public Defender's office and members of the private bar. Larry Wiest coordinated these services.

"My twin sister is a member of the U.S. military and has done two tours of duty. She will be returning to Afghanistan next year," said LASNNY staff attorney

continues on page 6

1 U.S. Department of Veterans Affairs
 2 U.S. Census Bureau, 2009 American Community Survey
 3 Veterans Administration *Research Currents*, January 2010, U.S. Department of Veterans Affairs
 4 U.S. Department of Defense

A busy and rewarding season

FROM THE *executive director*



It has been an incredible Fall for the Legal Aid Society. It started with our wonderful Justice for All Kick-off on September 8 at the Fort Orange Club. It was attended by 95 attorneys representing 33 law firms and five organizations. Several new firms have joined the Justice For All campaign and if you are still on the fence, it is time for you to join the region's leading firms.

Much work led to the successful Chief Judge's Hearing on Civil Legal Services in the Third Department on October 3, 2011. Chief Judge Jonathan Lippman, Acting Presiding Justice Thomas Mercure, Chief Administration Judge Anne Pfau and Vincent Doyle, President of the New York State Bar Association, presided.

Testimony was given by Martin Mackey on behalf of Attorney General Eric Schneidermann, and the Honorable Michael V. Coccoma, Deputy Administrative Judge.

A business panel followed, composed of Buckmaster DeWolf, General Counsel of GE Research,

Michael Tucker, President and CEO of the Center for Economic Growth, and James E. Barba, President and CEO of the Albany Medical Center. Strategic partners, including a representative of the Capital District Paralegal Association, Deb Schimpf of the Schenectady Community Action Program, Joseph Connors of the Albany Law School Clinic and Julie Davies of the Rural Law Center, spoke about how effective local partnerships have been for our low income clients. A panel of judges, including the Honorable Leslie E. Stein, the Honorable Christine Clark and the Honorable Timothy Breen also testified on the continuing need for civil legal services in the courtroom. The final panel included two clients from the Legal Aid Society and one from The Legal Project.

In sum, the testimony highlighted the continuing unmet need for civil legal services in the Third Department, the support for civil legal services in the local business community and our community partners. The clients told of the significant impact our legal services has made on their lives.

The Task Force also received reports to corroborate the substantial cost savings that legal services providers generate for all of New York by representing victims of domestic violence and those at risk of homelessness. Reports on simplification of legal processes and working more effectively with law schools were also received by the Task Force. By the time you read this column, the Task Force Report will be issued.

Finally, I was honored to be invited to the National Pro Bono Summit in Washington DC. At the Summit, pro bono leaders from across the nation brainstormed innovative strategies for moving pro bono to the next step. The Summit was part

of National Celebrate Pro Bono Week – our kick-off in Albany, moderated by our own Dan Hurteau from Nixon Peabody, was a tremendous success. I hope that

many of you will volunteer again to take a pro bono case. Remember that the Legal Aid Society offers an array of pro bono opportunities from advice clinics to brief consultations to full representation in court or before an administrative agency. We need your help at every level and in every county.

Last year's Chief Judge's Task Force Report found that 47% of all low and moderate income New Yorkers will experience at least one legal problem – for our 16 counties in northeastern New York, that is about 180,404 individuals. We need your help. I hope to hear from you at lmoy@lasnny.org or at 518-689-6304.

Best wishes for the Holiday Season.

Client Programs:

- Children's Law Project
- Community Legal Education and Training
- Disability Advocacy Project
- Domestic Violence Legal Assistance Project
- Foreclosure Prevention Project
- HIV/AIDS Legal Consortium
- Homelessness Intervention Project
- Legal Aid Society Homelessness Project
- Medical Legal Partnership for Children and Families
- Nutrition Outreach & Education
- Protection & Advocacy for the Developmentally Disabled
- Protection & Advocacy for the Mentally Ill
- Saratoga Springs Homelessness Prevention Program
- Senior Legal Services Program
- Upstate New York Immigration Law Project

Volunteer & Donor Programs:

- Justice for All Campaign, Annual Appeal
- Law Day Celebration
- Legal Aid Endowment Fund
- Private Attorney Involvement Program (PAI)

Legal Aid matters

December 2011

A regular bulletin published by the Legal Aid Society of Northeastern New York, Inc.

Offices:

55 Colvin Avenue, Albany, NY 12206
(518) 462-6765, (800) 462-2922

1 Kimball St., Amsterdam, NY 12010
(518) 842-9466, (800) 821-8347

17 Hodskin St., Canton, NY 13617
(315) 386-4586, (800) 822-8283

100 Court St., P.O. Box 989
Plattsburgh, NY 12901
(518) 563-4022, (800) 722-7380

112 Spring St., Suite 109
Saratoga Springs, NY 12866
(518) 587-5188, (800) 870-8343

Legal Aid helps flooding victim

When Lake Champlain flooded Lakeside Apartments in Plattsburgh, Art Demar was in a Burlington hospital recovering from having part of his kidney removed. Although the cancer surgery was successful, he learned he had no home where he could recuperate.

“The Clinton County Department of Social Services put me up in a Plattsburgh motel rather than the emergency shelter because of my medical condition,” testified Art Demar on October 3, in a public hearing of the Task Force to Expand Civil Legal Services in New York established by Chief Judge Jonathan Lippman.

For the first week, Art and his wife Renee stayed at America’s Best Value motel and the next five days, they slept at the Days Inn. When they were having trouble getting their security deposit and rent returned to them, Art found Becky Buchannon, Legal Aid paralegal, who was handling intake at the Emergency Shelter.



Art Demar

Legal Aid sent a letter to the landlord on behalf of the Demars and 25 others in the same building. When only part of Art’s refund of \$1,063 was returned, Dan Alley, Legal Aid

staff attorney, filed a small claims case. Before the hearing began, the landlord wrote another check for the remaining \$232.

The Demars used the refund to get permanent housing in Peaseleeville. “Because of the services from the Legal Aid Society, the Department of Social Services did not have to spend money to help me relocate,” said Art.

Although Mr. Demar would prefer to be in the workplace, he receives Social Security due to his disability. Renee works at Salerno Plastics in Plattsburgh. They have three grown sons who helped them move their belongings to a new home.

“In many of our housing cases our services lead to savings for the state and county government,” said Peter Racette, Deputy Director of LASNNY. “The Clinton County Department of Social Services asked us to do intake at the emergency shelter and we were happy to do it. As in Mr. Demar’s case and the other cases arising from the flooding at Lakeside Apartments, legal representation is necessary to make sure justice is done.”

In many of our housing cases our services lead to savings for the state and county government

Dick Bartlett

continued from page 8

for everybody that comes in contact with the court system—criminal and civil,” explained Dick Bartlett who retired from practicing as a Glens Falls attorney last year.

Dick Bartlett’s commitment to the profession also extends to raising lawyers. His daughter is an attorney and he has a grandson currently studying at Albany Law School.

Although he gave up racing sailboats seven years ago at age 78, he still visits Lake George, where he and his family often vacationed. “There is no better spot than our much loved Lake George.”

Legal Aid Society Board of Directors

Karen Brown	Cathy Lawrence
John Caffry, Esq.	Ann Leigh
Gene Chatterton	Timothy P. Morrison, Esq.
Eleanor DeCoursey, Esq.	Thomas J. O’Connor, Esq.
Jondavid DeLong, Esq.	Nicholas Pignone, Esq.
Stephen Johnston, Esq.	Keith C. St. John, Esq.
Donna Jones	Andrew Schrader, Esq.
E. Stewart Jones, Jr., Esq.	Paula Slater-Hurd
Karen Kenison	Sherri L. Vertucci, Esq.
Ronald J. Kim, Esq.	Maritza Walker
Amelia M. Klein, Esq.	Joyce M. Zeitler, Esq.

Comings and Goings...



Brenda Bertram and Mary Maguire

Farewell to Brenda Bertram, who retired in August after 15 years as Fiscal Director at LASNNY. She looks forward to spending time with her two granddaughters.

Filling Brenda’s important shoes is LASNNY’s new Fiscal Director Shamim Huq, who has worked in non-profit finances for 10 years, the last four with the Albany Community Action Partnership. He relaxes with reading, traveling and watching movies. He and his wife Jolly have two children, a daughter who is a chemical engineer and a son, a freshman in high school.

Welcome to Marshall Coulter, who became LASNNY’s new Director of Human Resources in June. Marshall worked for Albany International in HR and management for 25 years. He and his wife Beth live in Clifton Park and enjoy boating, golfing, and home improvement projects. They have a son, Ryan, 29.

Donate NOW to the 2011 Justice for All Campaign online at www.lasnnny.org or use the enclosed envelope



Elena DeFio Kean, Lillian Moy, Claudia Ryan, Christopher Lyons



Amy Klein, LASNNY Board President (center), flanked by E. Stewart Jones, Jr. and Thomas J. O'Connor, JFA Campaign Co-chairs



Jean Mahserjian, Eric Tepper, Phil Gitlen



Lillian Moy, Tim Morrison, Norma Meacham



Monique Thomas,
Alyssa Talanker



Ed Laird, Christopher Lyons



John Deily, Phil Gitlen, Dean Sommer



David P. Miranda, Tucker Stancliff



Jeff Sherrin, Peter Coffey, Patricia Bucklin



Alejandro Taylor, Martin Bonventre



Deanne Grimaldi,
E. Stewart Jones, Jr.



Ellie DeCoursey, Kristie Cinelli, Lillian Moy, Eric Tepper



Jonathan Federman, Samantha Whitney, Janet Silver, Jonathan Gillerman, Mike Fallon

Thanks to all who joined us for this year's Justice for All Campaign kickoff at the Fort Orange Club in September.

If you haven't already made a contribution please use the enclosed envelope to support the work of LASNNY.

You can also make a gift online, in memory of a loved one, or as a gift for the holidays with the option of sending an e-mail card. Visit LASNNY on the web and go to the Donate Now button: www.lasnnny.org.

*Thomas J. O'Connor,
E. Stewart Jones, Jr.
Campaign Co-chairs*

Support LASNNY with an IRA Rollover Gift

The popular charitable IRA rollover is back for 2011! It's good news for individuals aged 70 1/2 or older with IRAs. With the recently-passed tax package, you can again make tax-free charitable gifts using funds from your IRA. If you act by December 31 this year, your gift will be effective for 2011. Act now to take advantage of this special giving opportunity.

Retirement plan assets are typically subject to a heavy tax burden. If you are age 70 1/2 or older and required to take minimum distributions from your IRA and you do not need the money for personal use, consider using these funds to make a charitable gift to the Legal Aid Society.

For more details, visit our website: www.lasnnny.org.

Save The Date:

Intensive Trial Skills Training For the Effective Representation of Battered Women in Custody Proceedings

Wednesday, March 14, 2012
– Friday, March 16, 2012
Albany Law School

12 CLE credits

This is a FREE training, limited to 20 participants

Contact Geri Pomerantz at pomerantzlaw@albany.twcbc.com or 518-479-3713 to apply. Applications are due by January 15, 2012

Expanded Veterans Services

continued from page 1

Elizabeth Woods when asked why she volunteered at the Stand-Down.

Carlotta Palmer, supervising attorney, also volunteered: "I was there because I'm an army spouse. My husband is retired military," said Carlotta. Joel Hauser, intake attorney, and Debra Willsey, supervising attorney, also participated.

Weekly Law Clinic

After retiring from the New York State Health Department, attorney and Albany Common Councilman Mike O'Brien called LASNNY wanting to volunteer. As a veteran, his interest was to meet veterans' legal needs.

"We always wanted to do more for veterans," said Kristie Cinelli, LASNNY pro bono coordinator, "so we were fortunate to have Mike O'Brien reach out to us. We asked the Albany Housing Coalition,

which serves homeless veterans, about the need and decided a weekly legal clinic for veterans would be beneficial."

Bryon Koshgarian, veteran community advocate with the Albany Housing Coalition who has a doctoral degree in pastoral counseling and served in the U.S. Navy, said, "Mike O'Brien is a wonderful attorney and brings a wealth of information and connections. His resources are vast."

The Thursday afternoon clinic at the Veterans House, where 32 homeless vets live, began on August 25. Mike O'Brien, who served 34 years part-time in the National Guard, says that the most common problem for local veterans is debt.

"There are a lot of young veterans, guys in their 20's and 30's, who haven't established themselves yet. They have a lot of enduring problems. They are having a hard

Thanks to the following attorneys who have accepted cases

July 2011 through October 2011

Platinum Members

(20 or more cases):
Alyssa Talanker (37)

Gold Members

(10 or more cases):
Albany Law School (15)
Michael J. O'Connor (10)
Schenectady County Bar Association (11)
Bethany Schumann-McGhee (11)

Silver Members

(5 or more cases):
Tony Arcodia & Marc Ehrlich (6)
Janet Axelrod (8)
Jerrold Bartman (9)
Guy Criscione, Jr. (6)
Englert, Coffey, McHugh & Fantauzzi (6)
Maureen McGaw (5)
Amanda Maleszweski (6)
Lisa Mills (5)
Michael O'Brien (6)
Victoria Ramundo (7)
Whiteman, Osterman & Hanna (6)

Albany County:

Michael Avent
Marybeth Babcock
Matthew Barry
Leah Bojnowski
Gil Carey
Francis Crosgrave
Kathleen Copps DiPaolo
Justin Gray
Albert Hessberg, III. (2)
Daniel Hurteau
Suzanne Latimer
Ira Mendleson
Vincent Polsinello
Lou-Jack Pozner
Cynthia Stallard
Thomas Welsh
Robert Young(2)

Clinton County:

Heidi Dennis
Meredith Neverett
Joel Peller (2)
Jack Piller

Columbia County:

Kevin Thiemann (2)

Franklin County:

Virginia Morrow
Judith Pareira

Montgomery:

Sherri Vertucci

Rensselaer County:

Creston Laager, IV.
Judith Norrish
Alvin Ogar
Geri Pomerantz

St. Lawrence:

Verner Ingram
Cathleen O'Horo

Saratoga County:

Brian Bonsther
Stacie Brunet
James Cox
James Doern & Stephen Rodriguez
Robert Katzman
Christopher Luhn
Emily Muller
James Trainor

Schenectady:

William Codd
Peter Coffey
Peter McHugh (4)
Greg Schaff
Laura Silva

Warren County:

Michael Dezik

Albany & Rensselaer County Assigned Counsel Program

Gloria Arroyo Copland
Robert L. Adams (2)
Michael Assaf
John Bailey
Chad Balzer (2)
Jennifer Corona (2)
Peter Crummey
Jo Ann Coughtry
Kelly Curro (2)
Justin Dearmas
Heather Dukes
Eleanor DeCoursey

Brian Donohue
Stewart Finton
Shawn Flaherty
Joyce Galante
Lisa Gordon
David L. Gruenberg
Thomas Hall
Andrew Jacobs
Bess Liraditis
Jean Mahserjian
Nestler & Gibson
Arnold Proskin

Nicole Redmond
Florence Richardson
Carol Stiglmeier
Paul W. VanRyn
Raymond White
Joanne White

join us on
facebook

time supporting themselves in a bad economy, plus they often have physical problems. They are not well served for what they have done,” said O’Brien, who volunteers every Thursday.

Students at Albany Law School are assisting with the clinic. Organized by Benjamin Pomerance, second year law student, 17 students have volunteered to work with veterans. Two students are assisting O’Brien each week.

“Some are first year students who have not met with clients before,” said Pomerance.

Pomerance credits his internship at the Legal Aid office in Plattsburgh for his initiative to enroll in law school. He also was inspired by his uncle who was a judge and a Marine Vietnam veteran.

Wills for Heroes

During National Pro Bono Week on October 26, the New York State Bar Association, Albany County Bar



Joe Sluszka and Dr. Bryon Koshgarian from the Albany Housing Coalition at the Wills Seminar (above)

(right) Albert Hessberg from Hiscock & Barclay explains forms for veterans



Association, Albany County Bar Association, the Legal Aid Society and Hiscock & Barclay have joined together to assist them with legal issues. This will be an ongoing program—preparing wills, power of attorney forms and health care proxies. These forms are also necessary before they deploy. Our organizations are committed to supporting them as they supported our country,” said Barbara Davis, executive director of the Albany County Bar Association.

Larry Zimmerman, partner with

Hiscock & Barclay, helped organize the event. “We introduced the concepts to the veterans at the seminar. Then, we will be providing pro

bono services to accommodate their needs,” said Zimmerman, who is the pro bono coordinator for his Albany office with 35 attorneys.

Collaborating organizations also include the Albany Housing Coalition.

Association and LASNNY initiated an educational seminar entitled Wills for Heroes for homeless veterans.

“With the growing number of veterans coming back home facing many problems, the New York State

The Legal Aid Society of Northeastern New York and

Albany County Bar Association will hold their Annual

Holiday Party

December 15, 2011

5:30–7:30 PM

**at the The Hampton Inn, Downtown Albany
Catered by Yono’s**

Members of Legal Aid’s Private Attorney Involvement Panel are invited to attend as our guest. Please call Mary Maguire to RSVP at 518-689-6307. We only ask that you bring an unwrapped gift for a child to be donated for the Holiday. More details to be posted on our website: www.lasnny.org.

Funding:

The Legal Aid Society of Northeastern New York is funded by grants from the Legal Services Corporation, the Interest on Lawyer Account Fund of the State of New York, U.S. Department of Housing & Urban Development, United States Department of Justice, New York State Legislature, NYS Office of Temporary & Disability Assistance, NYS Division of Criminal Justice Services, NYS Department of Health, NYS Commission on Quality of Care and Advocacy for Persons with Disabilities, Albany County Department for Aging, Fulton County Office for Aging, St. Lawrence County Office for the Aging, Washington County Office for the Aging, St. Regis Mohawk Tribe Office for the Aging, City of Saratoga Springs, New York State Bar Foundation, United Way of the Greater Capital Region, Legal Aid Society of Rochester, Albany Law School, Hunger Solutions New York, Assemblyman Robert Reilly Salary Fund, NYS Unified Court System, NYS Homes and Community Renewal, Barry Alan Gold Memorial Advised Fund, The Equinox, Warren County, City of Saratoga Springs, Schenectady County, Wait House, Albany County Department of Social Services, Columbia Opportunities, Schenectady Community Action Program, Corporation for AIDS Research, Education and Services, Joseph’s House, Albany County Rural Housing Alliance, law firms and private contributors through the Justice for All Campaign.

DONATE NOW
to the 2011
JUSTICE FOR ALL
Campaign
Use the enclosed envelope
or donate online at
www.lasny.org



Dated Material—Please Expedite
ADDRESS SERVICE REQUESTED


printed on recycled paper

Thank you SEFA Donors.

The State Employee Federated Appeal (SEFA) through the United Way provides ALL New York State employees (CSEA, UUP, PEF, COUNCIL 82, ALES etc.) the opportunity to support a network of local, national and international community services all year through payroll deduction. Your gift to LASNNY through SEFA helped raise \$7,599 in 2010. LASNNY is notified Spring of the following year, of the amount raised, and we are sent a list of donors who agreed to release their names to us. When you release your name we are able to acknowledge your gift and send you our newsletter.



Our SEFA number is **50-00198**. Sincere thanks to those of you who support LASNNY through SEFA.

Guardian of Justice: Dick Bartlett

Dick Bartlett has done about everything you can do as a lawyer and then some. He engaged in general practice, litigated in state and federal courts, and served as a Justice of the New York Supreme Court and Chief Administrative Judge of New York.



He was Dean and Professor of Law at Albany Law School, and Member and Chair of the New York Board of Law Examiners. He participated in the House of Delegates of the American Bar Association, as well as many other legal professional associations including the New York State Bar Association, Federation of Bar Associations, American Bar Foundation and the Historical Society of the Court of the State of New York, to name a few.

He served in the New York General Assembly and was appointed by Governor Nelson Rockefeller to several crime councils. He was Chair of the New York Select Committee on Penal Institutions created following the Attica riot in 1971.

Now, he has committed himself to law in perpetuity by including the Legal Aid Society in his estate plans making him a Guardian of Justice. By pledging a future financial gift to LASNNY, he helps ensure that civil legal services will be available for future low-income and vulnerable families in need.

“It is the obligation of our profession to assure competent representation

continues on page 3